

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

----- x  
SIDNEY CALHOUN,

Plaintiff,

-against-

10 Civ. 0182 (LAK)

THE NEW YORK CITY DEPARTMENT OF  
CORRECTION, et al.,

Defendants.  
----- x

**ORDER**

LEWIS A. KAPLAN, *District Judge*.

The motion of defendant The City of New York to dismiss the amended complaint [DI 43] is granted, substantially for the reasons set forth in the report and recommendation of Magistrate Judge Henry B. Pitman to which no objection has been filed. The action is dismissed as to all other defendants – except C.O. Abrams – for failure to make timely service of process. As the basis for dismissal as to the City is common to the claim against C.O. Abrams, the action is dismissed as to C.O. Abrams as well.

The Clerk shall enter judgment and close the case.

SO ORDERED.

Dated: March 31, 2014



\_\_\_\_\_  
Lewis A. Kaplan  
United States District Judge

USDS SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED: 3/31/14